

**UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
JACKSONVILLE DIVISION**

UNITED STATES OF AMERICA

vs.

Case No. 3:19-cr-1-J-32PDB

JOHN R. NETTLETON

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**ORDER**

This Case is before the Court on Defendant John Nettleton's six pre-trial motions (Docs. 31, 32, 33, 34, 35, 36) and the Government's consolidated response thereto (Doc. 43). A hearing on these motions is scheduled for September 18, 2019, (Doc. 27), and this Order is to ensure the parties and the Court have the same expectations for that hearing.

Upon review of Defendant's motions and the Government's response, neither party has requested an evidentiary hearing, and the Court does not believe one is necessary at this juncture. Thus, the parties should be prepared to argue the pending motions and to discuss the status of the case, but the hearing will be non-evidentiary. If, based on the argument made at the hearing, the Court determines an evidentiary hearing is necessary, the Court will schedule one. See United States v. Davidson, 768 F.2d 1266, 1270 (11th Cir. 1985) (holding that a defendant has a constitutional right to an evidentiary hearing if he proffers "facts contrary to or in addition to those alleged by the

[Government] which, if proven, would indicate the confession was involuntary.”). The **September 18, 2019** hearing will occur as scheduled. (Doc. 27).

**DONE AND ORDERED** in Jacksonville, Florida this 20th day of August, 2019.



TIMOTHY J. CORRIGAN  
United States District Judge

jb  
Copies:

Counsel of Record  
U.S. Probation  
U.S. Pretrial Services  
U.S. Marshals Service  
Defendant